



27 solicitation" means the process of requesting and receiving  
 28 sealed bids, proposals, or replies in accordance with the terms  
 29 of a competitive process, regardless of the method of  
 30 procurement.

31 2. Sealed bids, proposals, or replies received by an  
 32 agency pursuant to a competitive solicitation are exempt from s.  
 33 119.07(1) and s. 24(a), Art. I of the State Constitution until  
 34 such time as the agency provides notice of an intended decision  
 35 or until 30 days after opening the bids, proposals, or final  
 36 replies, whichever is earlier.

37 3. If an agency rejects all bids, proposals, or replies  
 38 submitted in response to a competitive solicitation and the  
 39 agency concurrently provides notice of its intent to reissue the  
 40 competitive solicitation, the rejected bids, proposals, or  
 41 replies remain exempt from s. 119.07(1) and s. 24(a), Art. I of  
 42 the State Constitution until such time as the agency provides  
 43 notice of an intended decision concerning the reissued  
 44 competitive solicitation or until the agency withdraws the  
 45 reissued competitive solicitation. A bid, proposal, or reply is  
 46 not exempt for longer than 12 months after the initial agency  
 47 notice rejecting all bids, proposals, or replies.

48 ~~4. This paragraph is subject to the Open Government Sunset~~  
 49 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
 50 ~~on October 2, 2016, unless reviewed and saved from repeal~~  
 51 ~~through reenactment by the Legislature.~~

52 Section 2. Subsection (2) of section 286.0113, Florida

53 Statutes, is amended to read:

54 286.0113 General exemptions from public meetings.—

55 (2) (a) For purposes of this subsection:

56 1. "Competitive solicitation" means the process of  
 57 requesting and receiving sealed bids, proposals, or replies in  
 58 accordance with the terms of a competitive process, regardless  
 59 of the method of procurement.

60 2. "Team" means a group of members established by an  
 61 agency for the purpose of conducting negotiations as part of a  
 62 competitive solicitation.

63 (b)1. Any portion of a meeting at which a negotiation with  
 64 a vendor is conducted pursuant to a competitive solicitation, at  
 65 which a vendor makes an oral presentation as part of a  
 66 competitive solicitation, or at which a vendor answers questions  
 67 as part of a competitive solicitation is exempt from s. 286.011  
 68 and s. 24(b), Art. I of the State Constitution.

69 2. Any portion of a team meeting at which negotiation  
 70 strategies are discussed is exempt from s. 286.011 and s. 24(b),  
 71 Art. I of the State Constitution.

72 (c)1. A complete recording shall be made of any portion of  
 73 an exempt meeting. No portion of the exempt meeting may be held  
 74 off the record.

75 2. The recording of, and any records presented at, the  
 76 exempt meeting are exempt from s. 119.07(1) and s. 24(a), Art. I  
 77 of the State Constitution until such time as the agency provides  
 78 notice of an intended decision or until 30 days after opening

79 | the bids, proposals, or final replies, whichever occurs earlier.

80 |         3. If the agency rejects all bids, proposals, or replies  
 81 | and concurrently provides notice of its intent to reissue a  
 82 | competitive solicitation, the recording and any records  
 83 | presented at the exempt meeting remain exempt from s. 119.07(1)  
 84 | and s. 24(a), Art. I of the State Constitution until such time  
 85 | as the agency provides notice of an intended decision concerning  
 86 | the reissued competitive solicitation or until the agency  
 87 | withdraws the reissued competitive solicitation. A recording and  
 88 | any records presented at an exempt meeting are not exempt for  
 89 | longer than 12 months after the initial agency notice rejecting  
 90 | all bids, proposals, or replies.

91 |         ~~(d) This subsection is subject to the Open Government~~  
 92 | ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
 93 | ~~repealed on October 2, 2016, unless reviewed and saved from~~  
 94 | ~~repeal through reenactment by the Legislature.~~

95 |         Section 3. This act shall take effect October 1, 2016.